



PLANNING DIRECTOR'S HEARING AGENDA

Wednesday, December 16, 2015

**9:00 a.m.
Council Chambers
City Hall**

**200 East Santa Clara Street
San José, California 95113-1905**

Hearing Officer

**Steve McHarris, Planning Official
on behalf of**

**Harry Freitas, Director
Planning, Building, and Code Enforcement**

NOTICE

To request an accommodation for City-sponsored meetings or events or an alternative format for printed materials, please call Elizabeth Zepeda at 408-535-7868 or 408-294-9337 (TTY) as soon as possible, but at least three business days before any meeting or event. If you requested such an accommodation, please identify yourself to the technician seated at the staff table. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning and welcome to the Planning Director's Hearing of **December 16, 2015**. My name is **Steve McHarris** and I am the Hearing Officer for today's agenda on behalf of and delegated by the Director of Planning, Building and Code Enforcement Harry Freitas.

Please note the following:

- Turn off your cell phones and pagers as we are broadcasting and recording this meeting.
- A copy of the agenda is available on the tables by the doors for your convenience.
- A parking validation machine is available at the top of the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The hearing procedure and order of input is as follows:

1. I will identify the project as described on the agenda
2. Staff will provide a brief report
3. The applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their name and home address, or just wave from the audience if you do not wish to speak
4. The public provides testimony up to 2 minutes per speaker, either for or against the project. Please state your name and home address for the record
5. Following the public testimony, the applicant may make closing remarks of up to 5 minutes
6. The public hearing will then be closed. I may request staff to respond to the public testimony, ask staff questions and/or discuss the item and then I will take action on the item.

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit or the environmental clearance determination is appealed. The Planning Director's actions on the permits are appealable in accordance with the requirements of Title 20 (Zoning) of the Municipal Code. The Planning Director's actions on the environmental review for the permits under the California Environmental Quality Act (CEQA) are separately appealable in accordance with the requirements of Title 21 (Environmental Clearance) of the Municipal Code.

The City of San Jose is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public. The City Code of Ethics may be viewed on-line at <http://www.sanjoseca.gov/documentcenter/view/3818>

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Planning, Building and Code Enforcement at San José City Hall, 200 E. Santa Clara Street, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

No Items

The matter of Deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be considered together. There will be no separate discussion of these items unless a request is made by the staff or the public to have an item removed from the consent calendar and considered separately.

- a. [H15-012](#). Site Development Permit to allow the removal of two ordinance-size trees and the construction of an approximately 162,500-square foot industrial building with associated parking and landscaping improvements on a 35.68 gross acre site in the CIC Combined Industrial Commercial Zoning District, located at the southwesterly corner of Ridder Park Drive and Schallenberger Road (750 Ridder Park Drive) (Super Micro Computer, Owner). Council District 3. CEQA: Addendum to the North San Jose Development Policies Update Environmental Impact Report (Resolution No. 72768) and the Envision San Jose 2040 General Plan Environmental Impact Report (Resolution No. 76041).

PROJECT MANAGER, REBECCA BUSTOS

Staff Recommendation: Consider the Addendum to the North San Jose Development Policies Update Environmental Impact Report (Resolution No. 72768) and the Envision San Jose 2040 General Plan Environmental Impact Report (Resolution No. 76041) in accordance with CEQA. [Approve](#) a Site Development Permit as described above.

- b. [H15-041](#). Site Development Permit to allow major façade modifications to an existing building, with minor site improvements, on a 0.42-gross acre site, in the CP Commercial Pedestrian Zoning District, located at 1856 Camden Avenue (Don Tepman, Owner). Council District: 9. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Site Development Permit as described above.

- c. **HA13-007-01.** Site Development Permit Amendment to modify the overall height of a previously approved two-family dwelling (duplex) from 32'-0" to 34'-9" on a 0.28-gross acre site, in the R-M Multiple Residence Zoning District, located at 326 Grant Street (Ray Chen, Owner). Council District: 3. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities.
PROJECT MANAGER, RINA SHAH

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) Site Development Permit Amendment as described above.

- d. **HA13-040-01.** Site Development Permit Amendment to allow the construction of a 116,800-square foot office/R&D building and a three-story parking garage with associated site improvements on a 3.29-gross acre site, in the TEC Transit Employment Center Zoning District, located on the southeast corner of Brokaw Road and North 1st Street (1801 Bering Drive) (Richard T. Peery & Et Al, Owners). Council District 3. CEQA: Addendum to the North San Jose Development Policies Update Environmental Impact Report (Resolution No. 72768) and Envision San Jose 2040 General Plan Environmental Impact Report (Resolution No. 76041).
PROJECT MANAGER, REBECCA BUSTOS

Staff Recommendation: Consider the Addendum to the North San Jose Development Policies Update Environmental Impact Report (Resolution No. 72768) and Envision San Jose 2040 General Plan Environmental Impact Report (Resolution No. 76041) in accordance with CEQA. [Approve](#) a Site Development Permit Amendment as described above.

- e. **PD15-030.** Planned Development Permit to allow the construction of a new two-story, 5,691-square foot detached single-family residence, with a Floor Area Ratio of 0.28, and retaining walls greater than two feet in height, on a 0.46-gross acre in the A(PD) Planned Development Zoning District, located at 2693 Gayley Place (Murali Amujala, Owner). Council District: 8. CEQA: Exempt per CEQA Guidelines Section 15303(a) for New Construction or Conversion of Small Structures.
PROJECT MANAGER, RINA SHAH

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Planned Development Permit as described above.

- f. **PDA10-024-02.** Live Tree Removal Permit to replace five (5) trees that were transplanted and have died within five years of replanting, situated on a 1.42 gross acre site (Lot "E"), in the R-1-8(PD) Planned Development Zoning District, located on the west side of Guadalupe Mines Road, approximately 1,130 feet south of Via Campagna (Bill Schneider, Brookfield Estates, Owner). Council District 10. CEQA: Exempt per CEQA Guidelines Section 15304 for Minor Alterations to Land.
PROJECT MANAGER, PATRICK KELLY

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.

- g. **PDA14-020-01.** Live Tree Removal Permit to allow the removal of one Juniper tree (labeled as Tree C on the site plan), 66 inches in circumference, removed without the benefit of permits, located in the landscaping area of a commercial complex, on an approximately 0.29-gross acre site, in the A(PD) Planned Development Zoning District, located at the 1501 The Alameda (Alameda Group Investors LLC, Owner). Council District: 6. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, JENNIFER PIOZET

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.

- h. **PDA80-088-03.** Live Tree Removal Permit to allow the removal of five (5) Sequoia trees, ranging from approximately 109 inches to 172 inches in circumference, and one (1) Pine tree, approximately 109 inches in circumference, located in the common area of a multi-family residential development on an approximately 7.0 gross acre site in the A(PD) Planned Development Zoning District, located at 4375 Payne Avenue. (Moreland Apartments Associates, Owner). Council District 1. CEQA: Exempt per CEQA Guidelines Section 15301 (h) for Existing Facilities.

PROJECT MANAGER, DAVID FONG

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.

- i. **PDA83-001-01.** Live Tree Removal Permit to allow the removal of one Eucalyptus tree, 91 inches in circumference, located in the common area of a multi-family residence on an approximately 1.9-gross acre site, in the A(PD) Planned Development Zoning District, located at 2403 Sequester Court (Domingo and Glenda Salazar, Owners). Council District: 4. CEQA: Exempt per CEQA Guidelines Section 15301 (h) for Existing Facilities.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.

- j. **PDA87-023-01.** Live Tree Removal Permit to allow the removal of one (1) Monterey Pine tree approximately 103 inches in circumference, located at the rear of an existing commercial building on an approximately 2.4 gross acre site, in the A(PD) Planning Development Zoning District, located at 772 West Taylor Street. Council District 6. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, ROSCOE MATA

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.

- k. **SF15-023.** Single Family House Permit to allow the demolition of an approximately 2,471 square foot single-family residence, demolition of an approximately 608 square foot detached garage, removal of six (6) non-ordinance size tress, removal of one (1) Palm tree, approximately 75 inches in circumference; and to allow the construction of an approximately 6,531 square foot single-family residence with a maximum height of 35 feet with a rooftop deck on an approximately 0.39 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at 1724 Dry Creek Road (Leonard O. Lane, Jr. Trustee, Owner). CEQA: Exempt per CEQA Guidelines Section 15303(a) for New Construction or Conversion of Small Structures.

PROJECT MANAGER, DAVID FONG

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Single Family House Permit as described above.

- l. **SF15-048.** Single-Family House Permit to allow a proposed 3,654-square foot single-family residence with a Floor Area Ratio of 0.49 and a height of 31'-6" on a vacant 0.17 gross acre site in the R-1-8 Single-Family Residence Zoning District, located approximately 200 feet northwest of Cunningham Avenue and Cunningham Court (2013 Cunningham Court) (Dand Khai Van, Owner). Council District 8. CEQA: Exempt per CEQA Guidelines Section 15303(a) New Construction or Conversion of Small Structures.

PROJECT MANAGER, ELIZABETH SCHULLER

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Single Family House Permit as described above.

- m. **SP13-024.** Special Use Permit to allow a series of retaining walls between two feet and six feet tall in the rear yard of an existing residence on a 0.33 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at the north terminus of Royal Oak Ct. (6232 Royal Oak Court) (Edward and Debra Macalooloy, Owners). Council District 2. CEQA: Exempt per CEQA Guidelines Section 15303(e) for New Construction or Conversion of Small Structures.

PROJECT MANAGER, ED SCHREINER

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Special Use Permit as described above.

- n. **SP15-043.** Special Use Permit to allow the demolition of an approximately 500 square foot detached garage, and construction of an approximately 1,486 square foot addition with a second story to an existing legal nonconforming duplex on an approximately 0.15 gross acre site, in the R-M Multiple Residence Zoning District, located on the west side of North 2nd Street, approximately 100 feet northerly of East Taylor Street (711 North 2nd Street) (Esguerra, Phil and Edna, Owners). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15303(a) for New Construction or Conversion of Small Structures.

PROJECT MANAGER, DAVID FONG

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Special Use Permit as described above.

- o. **SP15-047.** Special Use Permit to allow the demolition of a single family residence and construction a new 2,212 square foot duplex on a 0.15 gross acre site in the R-2 Two-Family Residence Zoning District, located on the east side of S. 8th Street, approximately 470 feet north of Keyes Street (1020 South 8th Street) (Nuno De Avila Trustee & Et Al, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15303(b) for New Construction or Conversion of Small Structures.

PROJECT MANAGER, ED SCHREINER

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Special Use Permit as described above.

- p. **SP15-055.** Special Use Permit to allow the use of an outdoor patio within 150 feet of a residence in conjunction with a public eating establishment on a 0.24 gross acre site in the CN Commercial Neighborhood Zoning District located on east side of South 10th Street, approximately 120 feet south of E. San Carlos Street (330 South 10th Street) (Sam's Fine Foods Corporation, Sam Ghadiri, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.

PROJECT MANAGER, ROSCOE MATA

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Special Use Permit as described above.

- q. **T14-037.** Tentative Map to subdivide one lot into three lots for single-family residential purposes on a 0.83-gross acre site, in the R-1-5 Single-Family Residence Zoning District, located on the northeasterly corner of Machado Lane and Story Road (1062 Machado Lane) (Castro Marvin Trustee & Et Al, Owner). Council District 5. CEQA: Exempt per CEQA Guidelines Section 15315 for Minor Lands Divisions.

PROJECT MANAGER, PATRICK KELLY

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Tentative Map as described above.

- r. **TR15-348.** Live Tree Removal Permit to remove one Magnolia tree, 90 inches in circumference, located in the front yard of a single-family residence on a 0.28-gross acre site, in the R-1-8 Single-Family Residence Zoning District, located at 2465 Cottle Avenue (Ravi Handyal, Owner). Council District: 9. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.

- s. **TR15-368.** Live Tree Removal permit to allow the removal of one multi-trunk Elm tree, 156 inches in circumference, in the rear yard of a single-family residence, in the A(PD) Planned Development Zoning District, located at 3181 Heritage Estates Court (Alex and Sheila Dominguez, Owners). Council District: 8. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.

- t. **TR15-438.** Live Tree Removal Permit to allow the removal of one Coast Redwood tree, 125 inches in circumference, located in the front yard of a single-family detached residence on an approximately 0.17 gross acre site, in the R-1-8 Single-Family Residence Zoning District, located at 3972 Agatha Way (Caldwell, Andrea G. and Patrick M. Owners). Council District: 10. CEQA: Exempt per CEQA Guidelines Section 15301 (h) Existing Facilities.

PROJECT MANAGER, LEA SIMVOULAKIS

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.

- u. **TR15-467.** Live Tree Removal Permit to allow the removal of one (1) Elm tree, approximately 118 inches in circumference, from the rear yard of an existing single-family residence on a 0.17 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the 679 Crestview Drive (Bringuel Martin C. and Nguyen, Hong Minh, Owners). Council District 6. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.

PROJECT MANAGER, TRACY TAM

Staff Recommendation: Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.

- v. [TR15-481.](#) Live Tree Removal Permit to allow the removal of one (1) Mimosa tree approximately 68 inches in circumference, located in the front yard of a single-family detached residence on an approximately 0.13 gross acre site, in the R-1-8 Single-Family Residence Zoning District, located at 3455 Holly Drive. (McCullough, Sean M. and Ryder, Leigh A., Owners). Council District 5. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.
PROJECT MANAGER, DAVID FONG
- Staff Recommendation:** Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.
- w. [TR15-487.](#) Live Tree Removal Permit to allow the removal of two Incense Cedar trees, 63 inches and 69 inches in circumference, located in the rear yard of a single-family detached residence on an approximately 0.2-gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1420 Kiner Avenue (Viorica Filimon, Owner). Council District 9. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.
PROJECT MANAGER, REBECCA BUSTOS
- Staff Recommendation:** Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.
- x. [TR15-515.](#) Live Tree Removal Permit to allow the removal of two (2) Fir trees approximately 56 inches and 62 inches in circumference, located in the side yard of a single-family detached residence on an approximately 0.14 gross acre site, in the A(PD) Planned Development Zoning District, located on the 6496 Dade Court (Allustiarti Ronald, Owner). Council District 2. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.
PROJECT MANAGER, TRACY TAM
- Staff Recommendation:** Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.
- y. [TR15-529.](#) Live Tree Removal to allow the removal of one (1) Pine tree approximately 117 inches in circumference and one (1) Pepper tree approximately 116 inches in circumference, located in the common area of a commercial property on an approximately 0.21 gross acre site, in the CO Commercial Office Zoning District, located at 915 West Hedding Street (De Avila Nuno Trustee & Et Al, Owner). Council District 6. CEQA: Exempt per CEQA Guidelines Section 15301(h) for Existing Facilities.
PROJECT MANAGER, TRACY TAM
- Staff Recommendation:** Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.
- z. [TR15-533.](#) Live Tree Removal Permit to allow the removal of one Pine tree, 69 inches in circumference, located in the front yard of a duplex on an approximately 0.16 gross acre site, in the R-2 Two-Family Residence Zoning District, located at 2833 Union Avenue (Harry Ichijui, Owner). Council District: 9. CEQA: Exempt per CEQA Guidelines Section 15301 for Existing Facilities.
PROJECT MANAGER, LEA SIMVOULAKIS
- Staff Recommendation:** Consider the Exemption in accordance with CEQA. [Approve](#) a Live Tree Removal Permit as described above.

The Consent Calendar is now closed.

3. PUBLIC HEARING

- a. **SP15-027.** Special Use Permit to allow the demolition of a vacant church building and construction of an approximately 24,000-square foot elementary school (kindergarten through 5th grade) for up to 600 students on a 1.58-gross acre site in the CP Commercial Pedestrian Zoning District (proposed to be rezoned to the PQP Public Quasi-Public Zoning District, File No. C15-020, at the December 8, 2015 City Council hearing), located on the westside of Senter Road, approximately 300 feet south of East Capitol Expressway at 3167 Senter Road (Cry Out Christian Fellowship/Arnold Perez, Owner). Council District: 7. CEQA: Mitigated Negative Declaration and adopt a Mitigation Monitoring and Reporting Program. *Deferred from 12/09/15*
PROJECT MANAGER, LEA SIMVOULAKIS

Staff Recommendation: Consider the Mitigated Negative Declaration and adopt a Mitigation Monitoring and Reporting Program in accordance with CEQA. **Approve** a Special Use Permit as described above.

- b. The projectst being considered are located in the A(PD) Planned Development Zoning District on a 8.4-gross acre site, bordered by Auzerias Avenue to the south, Sunol Street to the west, and West San Carlos Street to the north (345 Sunol Street) (Green Republic LLP, Owner). Council District 6. CEQA: Determination of Consistency with the Ohlone Mixed Use Environmental Impact Report (Resolution No. 75192).

PROJECT MANAGER, JOHN TU

1. **PD12-013.** Planned Development Permit to allow for the construction of 263 attached residential units and 12,000 square foot of commercial space, 145 feet in height, designated as 'Block A'.
2. **PD15-036.** Planned Development Permit to allow for the construction of a 253-unit multi-family residential building, 84.5 feet in height, designated as 'Block B'.
3. **PD15-035.** Planned Development Permit to allow for the construction of a 268-unit multi-family residential building, 71 feet in height, designated as 'Block C'.
4. **PT12-014.** Tentative Map to combine thirteen parcels into three lots, two of which are for residential and commercial condominium uses.

Staff Recommendation: Consider the Ohlone Mixed Use Environmental Impact Report (Resolution No. 75192) in accordance with CEQA. **Approve** the Planned Development Permits and Tentative Map as described above.

- c. **TR15-108.** Live Tree Removal Permit to allow the removal of two (2) Walnut trees approximately 85 and 98 inches in circumference, located in the rear yard of a single-family residence on an approximately 0.18 gross acre site, in the R-1-8 Single-Family Residence Zoning District, located at 1335 Settle Avenue (Yu, Kent, Owner). Council District 6. CEQA: Exempt per CEQA Guidelines Section 15301 (h) for Existing Facilities.

PROJECT MANAGER, DAVID FONG

Staff Recommendation: Consider the Exemption in accordance with CEQA. **Deny** a Live Tree Removal Permit as described above.

This concludes the Planning Director's Hearing for December 16, 2015. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/index.aspx?nid=1765>

PUBLIC INFORMATION COUNTER
CITY OF SAN JOSÉ (408) 535-3555

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)**

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.